

\$~10

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ BAIL APPLN. 1511/2015
KUNDAN @ JEETU SAHU

..... Petitioner

Through Mr Amit Rao, Adv.
versus

STATE

..... Respondent

Through Ms Neelam Sharma, Additional Public
Prosecutor for the State alongwith Sub Inspector
Rama Saroha Police Station Ashok Vihar, Delhi

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 04.04.2016

It is submitted by counsel for the petitioner that the only allegation against the petitioner was that he brought the prosecutrix from Jharkhand to Delhi otherwise there was no allegation of commission of rape upon the prosecutrix. The co-accused Mahesh Mehto has already been granted anticipatory bail. Petitioner has joined investigation.

It is not disputed by learned Additional Public Prosecutor for the State that the petitioner has joined investigation. It is, however, submitted that the prosecutrix is aged 15 years when she was taken by the petitioner without the consent of her parents.

The statement of prosecutrix recorded under Section 164 Cr.PC has been shown where there is no specific averment that the petitioner forcibly brought her to Delhi.

Keeping in view the totality of the facts and circumstances of the case, it is ordered that in the event of his arrest:-

- (i) Petitioner be admitted to bail on his executing personal bond in the sum of Rs.20,000/- (Rupees Twenty Thousand only) with one surety in the like amount to the satisfaction of the concerned I.O./SHO.
- (ii) He shall join the investigation as and when called for by the I.O.
- (iii) He shall furnish his address as well as his contact number to the Investigating Officer.
- (iv) He shall not threaten or coerce complainant or any prosecution witness.

The application is accordingly disposed of.

Copy of this order be given *dasti* to counsel for the petitioner.

SUNITA GUPTA, J

APRIL 04, 2016/rd